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Account of Frank D. Lewis. Letter from the Acting Secretary of the Treasury, transmitting, with inclosures, a copy of a communication from the Attorney-General relating to the payment of the account of Frank D. Lewis.

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ACCOUNT OF FRANK D. LEWIS.

LETTER

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING,

WITH INCLOSURES, A COPY OF A COMMUNICATION FROM THE
ATTORNEY-GENERAL RELATING TO THE PAYMENT OF THE
ACCOUNT OF FRANK D. LEWIS.

DECEMBER 12, 1898.—Referred to the Committee on Claims and ordered to be printed.

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, D. C., December 9, 1898.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication from the Attorney-General of the 15th ultimo, and its inclosures, looking to an appropriation for payment of the account of Frank D. Lewis, special counsel for the Mission Indians of California, for traveling expenses during the quarter ended June 30, 1897, \$168.10, and for legal services from October 1 to December 31, 1897, \$425; in all, \$593.10.

Respectfully, yours,

O. L. SPAULDING,
Acting Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

DEPARTMENT OF JUSTICE,
Washington, D. C., November 15, 1898.

SIR: You are respectfully requested to forward these inclosures to the next session of House of Representatives for action upon the claims therein presented in favor of Frank D. Lewis, legal counsel for the Mission Indians, in California, being (1) an account of traveling expenses, amounting to \$168.10, during the quarter ending June 30, 1897, and (2) an account for legal services from October 1 to December 31, 1897, for \$425, as detailed in papers attached.

Very respectfully,

J. K. RICHARDS,
Acting Attorney-General.

The SECRETARY OF THE TREASURY.

RIVERSIDE, CAL., August 31, 1898.

SIR: I have the honor to inclose herewith an account for traveling expenses incurred by me as special counsel for the Mission Indians of southern California from May, 1896, to June, 1897, with the request that if possible I be reimbursed for the expenditures.

This account was forwarded to the Commissioner of Indian Affairs by the United States Indian agent for payment, and was returned to me with the letter which is thereto attached.

Very respectfully,

FRANK D. LEWIS,
United States Special Attorney for Mission Indians.

The ATTORNEY-GENERAL,
Washington, D. C.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 28, 1898.

SIR: I return herewith the voucher (in triplicate), with subvouchers, amounting to \$168.10, issued in your favor by the late Indian agent at Mission Agency, for traveling expenses incurred by you in 1896 and 1897 in connection with your services as special attorney for the Mission Tribe in California, as I know of no law under which such a claim can be paid, nor are there any funds at the disposal of this office from which it could be paid were it a legitimate account. It appears to me, however, that as your services as such special attorney were employed by the Attorney-General, as provided by act of June 10, 1897, any incidental expenses in connection therewith should be a matter for his consideration.

Very respectfully,

W. A. JONES, *Commissioner.*FRANK D. LEWIS, *Riverside, Cal.*

The United States to Frank D. Lewis, Dr.

Trip from Riverside, Cal., to Santa Ynez, Cal., with Agent Estudillo to arrange with Santa Ynez Indians for a settlement of dispute with owners of college grant as to Indian claim to land in Zanja de Cota Canyon:

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| 1896. | | |
| May 21. | Ticket Riverside to Los Angeles (No. 1)..... | \$1.75 |
| | Ticket Los Angeles to Santa Barbara (No. 2)..... | 3.35 |
| 23. | Ticket Santa Barbara to Los Angeles (No. 3)..... | 3.35 |
| | On trip from Riverside to Pala to defend José Canoe, United States Indian policeman, before justice of the peace on charge of selling liquor to Indians (trip made at request of Indian agent), 115 miles: | |
| Oct. 25. | Livery hire of team and buggy five days, at \$4 per day (No. 4)..... | 20.00 |
| 24. | Care and feed of team October 22 and October 24, two nights (No. 5)..... | 1.50 |
| | Dinner, October 23 and 24 (No. 6)..... | 1.50 |
| Aug. 24. | On trip, Riverside to Warner Ranch, to take depositions of Indians residing there in connection with the ejectment suit of owners of Warners Ranch against the Indians, 180 miles: Livery hire of team and buggy (No. 7)..... | 28.00 |
| | On trip from Riverside to Capitan Grande Reservation with Agent Estrodillo, and at his request: | |
| 1897. | | |
| Jan. 29. | Round-trip ticket Riverside to San Diego (No. 8)..... | 8.00 |
| | Chair-car seat (No. 9)..... | .50 |
| | Round-trip ticket San Diego to Lakeside (No. 10)..... | 1.50 |
| 30. | Hotel, supper, lodging, breakfast (No. 11)..... | 2.00 |
| 31. | Hotel, San Diego (No. 12)..... | 3.00 |
| | On trip from Riverside to San Francisco and Santa Ynez to negotiate for a settlement of the claims of Indians to a portion of College Ranch at Santa Ynez under instructions from the Commissioner of Indian Affairs: | |
| Feb. 18. | Ticket Riverside to Los Angeles (No. 13)..... | 1.75 |
| | Ticket Los Angeles to San Francisco (No. 14)..... | 15.00 |
| 19. | Hotel, San Francisco (No. 15)..... | 4.00 |
| 21. | Hotel, San Francisco (No. 16)..... | 8.00 |
| | Ticket San Francisco to San Luis Obispo, Cal. (No. 17)..... | 7.65 |
| | Ticket San Luis Obispo to Los Olivos, Cal. (No. 18)..... | 3.00 |

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| 1897. | | |
| Feb. 26. | Hotel Santa Ynez (No. 19) | \$4.50 |
| | Stage fare Santa Ynez to Santa Barbara (No. 20) | 3.50 |
| | Dinner, Cold Spring, Cal. (No. 21) | .50 |
| | Ticket Santa Barbara to Redondo, Cal. (No. 22) | 3.00 |
| 27. | Ticket Redondo, Cal., to Los Angeles, Cal. (No. 23) | .35 |
| | Ticket Los Angeles to Riverside (No. 24) | 1.75 |
| 19. | Breakfast and dinner on sleeping car (No. 25) | 2.00 |
| | On trip to Rincon Reservation and to Warner Ranch in connection with suits against Indians at Warner Ranch, and to defend Domingo Mora, United States Indian policeman, charged with violation of game laws before justice of peace at Oak Grove, Cal., and to examine into the workings of contract between Rincon Indians and Escondido irrigation district, 210 miles: | |
| May 19. | Feed of team, Perris (No. 26) | .75 |
| | Dinner (No. 27) | .50 |
| 20. | Feed of team, supper, lodging, breakfast (No. 28) | 1.75 |
| 23. | Supper, lodging, breakfast, and feed of team (No. 29) | 2.25 |
| 24. | Hotel San Jacinto (No. 30) | .75 |
| | Livery hire of team and buggy (No. 31) | 20.00 |
| | On trip to San Diego and Los Angeles to arrange amount of bond for stay of execution in ejectment suits against Indians on Warner Ranch: | |
| June 13. | Round-trip ticket Santa Monica from Riverside (No. 32) | 3.00 |
| | Round-trip ticket Santa Ana to San Diego (No. 33) | 5.40 |
| 14. | Hotel San Diego (No. 34) | 3.00 |
| | Ticket Santa Ana to Los Angeles (No. 35) | 1.00 |
| | | <hr/> |
| | | 168.10 |

Approved for \$168.10.

JOHN W. GRIGGS, *Attorney-General.*

I do solemnly swear that the foregoing account is correct and just; that the different charges in detail have been taken from and verified by memorandum; that the amount charged was actually paid; that no part of the journeys charged for has been made under any free pass on any railway, steamboat, or other public conveyance; that the number of days for which the same is charged was necessarily consumed in unavoidable delays incident to travel, and in the performance of the duty ordered or services rendered; that the journeys were performed by the shortest usually traveled routes.

FRANK D. LEWIS.

Subscribed and sworn to before me this 17th day of July, 1897.

[SEAL.]

O. J. CANDEE,
County Clerk and Ex Officio Clerk of the Superior Court
in and for Riverside County, State of California.
By J. W. ROBERTS, Deputy.

DEPARTMENT OF THE INTERIOR,
Washington, September 23, 1898.

SIR: I have the honor to transmit an account of \$425, in favor of Frank D. Lewis, special attorney for the Mission Indians in California, for services rendered from October 1 to December 31, 1897, received through the office of the Commissioner of Indian Affairs, with the statement that the agent for the Mission Indians reports to him, after investigation, "that Mr. Lewis's account seems fair, and I would recommend its payment," in which I concur.

Very respectfully,

THOS. RYAN,
Acting Secretary.

The ATTORNEY-GENERAL.

H. Doc. 44—13

Statement of services rendered by Frank D. Lewis, United States special counsel for Mission Indians of southern California from October 1, 1897, to January 1, 1898.

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| Oct. 1-4. Preparing and filing in the United States district court as amicus curiæ against the granting of the petition of Jose Apis and others for confirmation of a Mexican grant made in 1845 to Jose and Pablo Apis for the lands known as La Jolla, in San Diego County, Cal. (The petition was filed June 25, 1884, in the district court for the northern district of California under the provisions of a special act of Congress passed in January, 1879, and the matter was transferred to the United States district for the southern district of California in June, 1897. A decision was rendered on the 21st day of February, 1898, by Judge Welborn, sustaining all the points which I raised in my brief and denying the petition. The grant included the lands comprised in the Portrero Reservation in township 10 south, range 1 east, San Bernardino meridian, which have been patented under the provisions of the act of Congress of January 12, 1891, and on which are located the homes of some sixty families of Indians.) | \$100.00 |
| Oct. 6. Investigating and advising the United States Indian agent and Andreas Maxey (Indian), relative to contest in the United States land office of Maxey's claim to lands in township 11 south, range 2 east, San Bernardino meridian. | 5.00 |
| Nov. 6. Investigating and advising Indian agency as to lands of Jose La Chapa (deceased), of Mesa Grande Reservation in San Diego County, Cal. | |
| Nov. 15-17. Three days in San Diego to appear for Andreas Maxey before the United States commissioners who had been authorized to take the evidence on the 16th of November in the matter of the claim of Andreas Maxey. I succeeded in settling the matter by securing a release of all claims adverse to Maxey and having his homestead claim filed for the land in question. | 40.00 |
| Dec. 11. Investigating and advising Indian Agent Wright in the matter of trespass and assault of a white man (Joe More) on the Mesa Grande Reservation. | 5.00 |
| During the months of November and December I was employed almost exclusively in preparing transcripts on appeal and briefs in the cases of J. Downey Harvey, administrator, etc., v. Alexandro Barker et al., and J. Downey Harvey, administrator, etc., v. Jose Quevas et al. These are the ejectment suits that have been pending in the San Diego County superior court, but are now on appeal to the supreme court of the State of California against the Indians residing in San Diego County. Copies of my briefs in both cases and of the transcript on appeal I have heretofore forwarded to the Indian Office. | |
| Preparing and filing transcript on appeal from superior court of San Diego County, Cal., to supreme court, State of California, in re J. Downey Harvey, administrator, v. Alexandro Barker et al. | 50.00 |
| Preparing and filing transcript on appeal from superior court of San Diego County, Cal., to supreme court, State of California, in re J. Downey Harvey, administrator, v. Jose Quevas et al. | 50.00 |
| Preparing and filing brief on appeal from superior court of San Diego County, Cal., to supreme court, State of California, in re J. Downey Harvey, administrator v. Alejandro Barker et al. | 150.00 |
| Preparing and filing brief on appeal from superior court of San Diego County, Cal., to the supreme court, State of California, in re J. Downey Harvey, administrator etc., v. Jose Quevas et al. | 25.00 |
| | 425.00 |

I do solemnly swear that the foregoing is a correct statement of the services rendered by me as special counsel for the Mission Indians of southern California during the period commencing October 1, 1897, and ending December 31, 1897.

FRANK D. LEWIS,
United States Special Attorney for Mission Indians.

Approved for \$425.

JOHN W. GRIGGS, *Attorney-General.*

RIVERSIDE, CAL., February 28, 1898.

Subscribed and sworn to before me the 1st day of March, 1898.

[SEAL.]

A. J. CANDEE, *County Clerk.*